IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

WP(C).No. 2573 of 2007(F)

PETITIONER:

S. MOHANAN,
ASSISTANT DISTRICT INDUSTRIES OFFICER,
TALUK INDUSTRIES OFFICE, DIC BUILDING, PALAKKAD.

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY PRINCIPAL SECRETARY,
INDUSTRIES DEPARTMENT, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR OF INDUSTRIES AND
COMMERCE, THIRUVANANTHAPURAM.

3. THE DEPARTMENTAL PROMOTION COMMITTEE(H),
REPRESENTED BY CONVENOR & PRINCIPAL SECRETARY TO
GOVERNMENT, INDUSTRIES & COMMERCE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

4. K.V. BALAKRISHNAN,
ASSISTANT DISTRICT INDUSTRIES OFFICER,
DISTRICT INDUSTRIES CENTRE, KASARAGOD.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN FOR R1 TO R3

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 2573 of 2007

Dated this the 12th day of February, 2007

JUDGMENT

The petitioner has been working as Assistant District Industries Officer with effect from 23.1.1996. For want of formal orders declaring his probation in that category, his claim for promotion to the post of Assistant Director, Industries Department was overlooked. Subsequently his probation was declared as per order dated 26.12.2006 with effect from 8.2.1997. The DPC which met on 5.10.2006 could not consider his case since the order declaring probation was passed only subsequently. The petitioner has filed Ext.P5 representation before the third respondent requesting to review the select list published for the year 1996 and to give him due place in that select list, so that, his case for promotion to the post of Assistant Director can be considered by the competent authority.

2. In the above circumstances, the writ petition is disposed

of directing the third respondent to consider Ext.P5, in accordance with law and take appropriate decision, as early as possible. The review DPC shall be held for considering the case of the petitioner for inclusion in the select list for 1996 within a reasonable time, at any rate, within six weeks from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of the judgment and a copy of the writ petition before the third respondent for necessary action.

K.K.DENESAN, JUDGE

CSS